ZB# 98-40

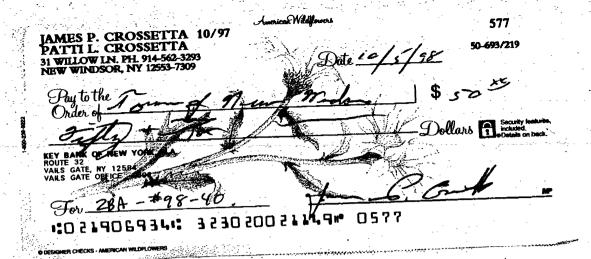
James Crossetta

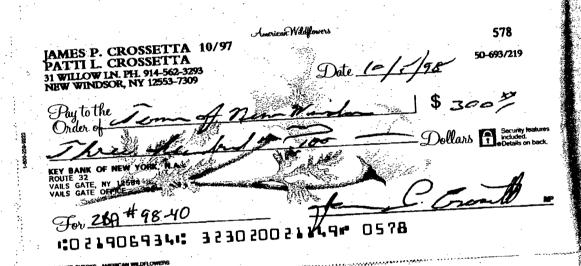
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NEW WINDSOR ZONING BOARD OF APPEALS

In the Matter of the Application of

JAMES CROSSETTA

MEMORANDUM OF DECISION GRANTING AREA VARIANCE

#98-40.	••
	Y

WHEREAS, JAMES CROSSETTA, residing at 31 Willow Lane, New Windsor, New York, N. Y. 12553, has made application before the Zoning Board of Appeals for 35 ft. front yard variance for existing deck, 7 ft. side yard for existing hot tub, and variation of Section 48-14A(4) and 48-14A(1)(b) of the Supplemental Yard Regulations for existing shed at 31 Willow Lane in an R-4 zone; and

WHEREAS, a public hearing was held on the 26th day of October, 1998 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of himself for this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

- 1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in <u>The Sentinel</u>, also as required by law.
 - 2. The evidence presented by the Applicant showed that:
- (a) The property is a residential property consisting of a one-family home located in a neighborhood containing one-family homes.
 - (b) The Applicant seeks a variance for an existing deck, hot tub and existing shed.
- (c) The three structures are located in the most appropriate place considering the configuration of the property.

- (d) None of the three structures create any water hazards, including the ponding or collection of water
- (e) None of the three structures are located on top of a sewer or water easement nor do they interfere with sewage collection.
- (f) The three structures are consistent with the neighborhood and similar to other structures in the neighborhood.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

- 1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
- 2. There is no other feasible method available to the Applicant which can produce the benefits sought.
- 3. The variances requested are substantial in relation to the Town regulations (approximately 25%) but nevertheless is warranted for the reasons listed above.
- 4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
- 5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.
- 6. The benefit to the Applicant, if the requested variances are granted, outweigh the detriment to the health, safety and welfare of the neighborhood or community.
- 7. The requested variances are appropriate and are the minimum variances necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
- 8. The interests of justice will be served by allowing the granting of the requested area variances.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 35 ft. front yard variance for existing deck, 7 ft. side yard for existing hot tub, and variation of Section 48-14A(4) and 48-14(1)(b) of the Supplemental Yard Regulations for existing shed at the above address, in an R-4 zone as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: January 25, 1999.

Chairman

	/		-
Date	11/13	f	1978
		••••••	

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE NEW WINDSOR, NEW YORK 12553

TO Vanes P. Crosseffa DR. 31 Willow hare, N.W.

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TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE NEW WINDSOR, NEW YORK 12553

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CROSSETTA, JAMES P.

MR. NUGENT: Request for 35 ft. front yard variance for existing deck, 7 ft. side yard for existing hot tub, and variation of SEction 48-14A(4) and 48-14A(1)(b) of the Supplemental Yard Regulations for existing shed at 31 Willow Lane in an R-4 zone.

Mr. James Crossetta appeared before the board for this proposal.

MR. NUGENT: Is there anyone in the audience for Crossetta. Let the record show there's no one in the audience.

MS. BARNHART: We sent out 68 addressed envelopes on October 6 and nobody's here.

MR. NUGENT: Did you see these pictures?

MR. REIS: No, sir.

MR. KANE: The existing deck is on a concrete slab?

MR. CROSSETTA: No, it's right on the ground.

MR. KANE: Created any water hazards, any drainage problems in the neighborhood?

MR. CROSSETTA: No.

MR. KANE: Deck and the shed consistent with other sheds that are in the area? You're not changing the neighborhood in any way?

MR. CROSSETTA: No, actually, it's better than a number of them, it's on a concrete slab.

MR. KANE: Michael, have you guys been out there yet as far as electrical and hot tub and all that?

MR. BABCOCK: No.

MR. TORLEY: Mike, actually, the deck runs right up to the property line?

MR. CROSSETTA: Yes, my neighbor on that property helped me build it.

MR. KRIEGER: There's a door leading from the house to the deck?

MR. CROSSETTA: Yes.

MR. KRIEGER: If the deck weren't there, there'd be a considerable drop between the door and the ground, correct?

MR. CROSSETTA: Well, there was a--yes, yes.

MR. KRIEGER: It would be more than a normal step?

MR. CROSSETTA: Yeah, probably be good 2 1/2 three foot drop, I guess.

MR. KANE: Again, with the front existing deck, there were no water runoffs created?

MR. CROSSETTA: No.

MR. KRIEGER: No ponding or collection of water?

MR. CROSSETTA: No.

MR. KRIEGER: Either the deck or the shed are not on top of any water, septic system?

MR. CROSSETTA: No.

MR. REIS: Accept a motion?

MR. NUGENT: Yes, I'm accept a motion.

MR. REIS: Make a motion that we grant Mr. Crossetta his requested variances at 31 Willow Lane.

ROLL CALL

MR. KANE AYE MS. OWEN AYE

MR.	TORLEY	AYE
MR.	REIS	AYE
MR.	NUGENT	AYE

OFFICE OF THE BUILDING INSPECTOR TOWN OF NEW WINDSOR ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

DATE: September 2, 1998

APPLICANT: James Crossetta

31 Willow Lane

New Windsor, New York 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: August 28, 1998

FOR : Existing 8' X 10' shed

LOCATED AT: 31 Willow Lane

ZONE: R-4

DESCRIPTION OF EXISTING SITE: 43-1-76

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Exiting shed projects closer to road than house. This is a corner lot. (48-14-A-4) 48-14. A (4).
- 2. Existing shed does not meet minimum rear yard setback. (48-14-A-4)(B) 48-14 A (1)(b)



PERMITTED		PROPO AVAILA	SED OR ABLE:	VARIANCE REQUEST:
ZONE: R-4	USE:			
MIN. LOT AREA:				
MIN LOT WIDTH:				
REQ'D FRONT YD:				
REQ'D. SIDE YD:				
REQD. TOTAL SIDE	YD:			
REQ'D REAR YD:	1	0'	0'	10°
REQ'D FRONTAGE:				
MAX. BLDG. HT.:				
FLOOR AREA RATIO	D :			
MIN. LIVABLE ARE.	A :			
DEV. COVERAGE:				
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cc: Z.B.A., APPLICANT, FILE ,W/ ATTACHED MAP

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6. Plumbing final and final. Have on hand ele	ctrical inspection d	ata and final certifie	d plot plan. Building is to be comple
at this dime. Well water test required and	s engineer's certific	ation letter for sep	tic system required.
7. Driveway inspection must meet approval	of Town Highway	Superintendent. A	driveway bond may be required.
E 550.00 charge for any site that calls for th	e inspection twice.		
9. Permit number must be called in with ear		•	RECEIVE
10. There will be no inspections unless yellow	y permit card is pos	ited.	· COLIVE
11. Sewer permits must be obtained along w	ith building permit	s for new houses.	
12. Septic permit must be submitted with en	ngineer's drawing a	nd perc test.	AUG 2 8 1998
15. Road opening permits must be obtained	from Town Clerk's	office.	1.00 2 0 1330
14. All building permits will need a Certificati	e of Occupancy or a	Certificate of Con	ipliance and there is no fee for this.
•		• •	. BUILDING DEPARTA
	PLEASE PRINT		
	ALL INFORMATION	WHICH APPLIES TO	YOU
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Owner of Premises James 4 to	313 C(05)	Jella-	
Address 31 Willow Lane			Phone 562 3293
Address _ J Willow Lane			Phone - JUS
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Name of Architect			
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Address			Phone
Name of Contractor			
Address			Obone
			Phone

If applicant is a corporation, signature of duty authorized officer.

	BOX FOR OFFICE USE ONLY
Total Control	Building Permit #

1. On what street is property located? On the E side of Willow Lone
(NSEOFW)
and O feet from the intersection of Spring Rock Pd -
2. Zone or use district in which premises are situated is property a flood zone:
YN_
3. Tax Map Description: Section 43 Block Lot 76
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy private home b. intended use and occupancy
5. Nature of work icheck if applicable) New Blog D. Addition D. Alteration D. Repair D. Removal D. Demolition Q. Othe
Need Size as Shed
E. Is sais a comer loss 468
7. Dimensions of entire new construction. Front Rear Depth Height No. of Stones
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2. If dwelling, number of dwelling units: O Number of dwelling units on each floor
Number of bedrooms Baths Toilets
Heating Plant: Cas Oil ——Electric/Hot Air Hot Warer
If Garage, number of cars
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use
10. Estimated cost \$500.00 Fee \$500.00
11. School District Newburgh To be Paid on this Application
Costs for the work described in the Application for Building Permit Include the cost of all the construction and other work done in connection therewish, assistable of the cost of all the construction and other
ALL DISCOURTS OF CONTRACT OF C

New Windsor Town Hall 155 Union Avenue New Windsor, New York 12553 (214) 563-4653 FAX

Approved	_
Disapproved	•
Permit No.	-

•	e t	-	•	~	~~~

Planning Board | Highway Dept | Sewer | Water | Zoning Board of Appeals

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in link and submitted in duplicate to the Building Inspector.
- 3. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a description of layout of property must be drawn on the diagram which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the Issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for Inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

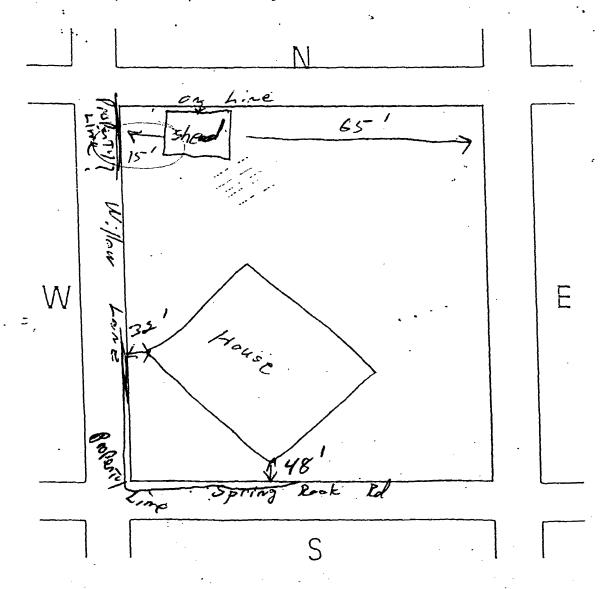
APPLICATION IS HERESY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or cemolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and property authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicand

(Address of Applicand

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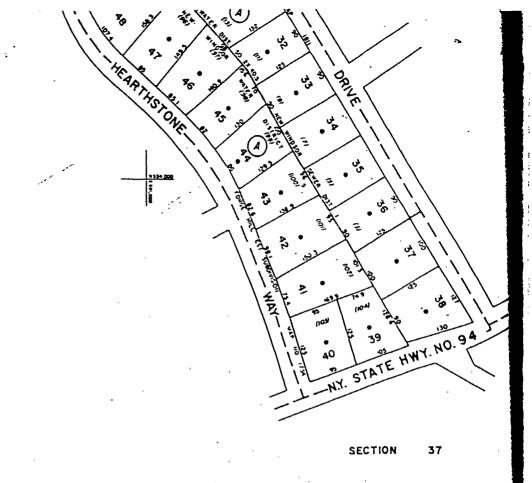
• Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or , lines clearly and distinctly on the drawings.



SECTION 39 <u>O</u> -HUDSON-. 59 • (sé) SECTION ROAD THE ARTHS TONE NY. STATE HWY. NO. 94

SECTION

ALL HEWSURGE



ALL NEWBURGH SO ALL VAILS GATE

I FILED PLAN SLOCE NO	00
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STATE MEMBATS	. 100'0 '
COUNTY HIGHWAYS	; .
TOWN ROADS	

ORANGE COUNTY-NEW YORK

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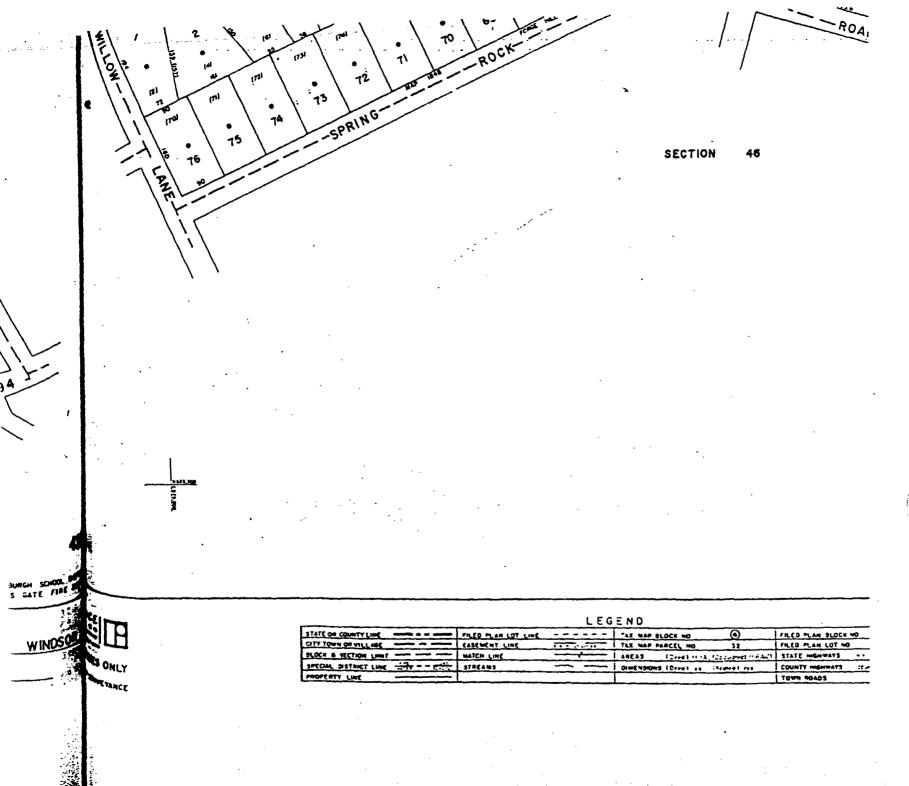
Date of Map: 9-24-67

Date of Revision: 3 -1 - 93

TOWN OF NEW WIN

SECTION -HUDSON-SECTION *B*65 (d) SECTION

3



Date 10/1/98 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE NEW WINDSOR, NEW YORK 12553

TO		Frances Roth	•••••		DR.	-	
	·	168 N. Drury Lane				`	
	***************************************	Newburgh, N.Y. 12550	•••••	 		**********	

DATE		CLAIMED	ALLOWED
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PRELIMINARY MEETING:

CROSSETTA, JAMES

Mr. James Crossetta appeared before the board for this proposal.

MR. TORLEY: Request for 35 ft. front yard variance for deck, 10 ft. rear yard variance for shed, 7 ft. side yard variance for hot tub and variation of Section 48-14A(4) of the Supplemental Yard Regulations for shed which projects closer to road than house. All structures existing at 31 Willow Lane in an R-4 zone.

MR. CROSSETTA: Tell me what I've got to do.

MR. TORLEY: Tell us what your problem is and what you have got to do to fix it.

MR. CROSSETTA: I have a corner lot, corner of Willow and Spring Rock Road and on the back of the property, there's a shed right on the property line and on the opposite side of the property, my next door neighbor over there, I built, you know, a little deck and hot tub on it and goes right to his property line. No problem with him and no problem with my neighbor behind me, come to find out, I need a variance for it which I didn't know.

MR. TORLEY: How come you've got three separate denials?

MR. BABCOCK: Three separate issues, Larry.

MS. BARNHART: Hot tub, shed.

MR. CROSSETTA: This is a shed, this is the deck and whatever way you want to call it.

MS. BARNHART: Deck, shed and hot tub.

MR. KANE: Mike, is this a two front yard scenario?

MR. BABCOCK: Yes, that's correct.

MR. TORLEY: But he needs some of these variances regardless of the setbacks.

MR. REIS: What prompted your having to come here?

MR. CROSSETTA: Refinancing.

MR. TORLEY: Join the club. Your shed is sitting on a drainage easement too by this map?

MR. CROSSETTA: I don/t know how that easement works, I have no idea.

MR. TORLEY: I believe--

MR. KANE: Drainage easement, what it comes down to, if they need to dig it up, they can do whatever to your shed with no regard.

MR. CROSSETTA: They can notify me in advance so I can move it.

MR. KANE: Technically, they can do what they want, usually they notify you.

MR. TORLEY: But the shed is actually one foot off the property?

MR. CROSSETTA: The one corner is a foot, the other is a foot and a half, I tried to make it the best I could.

MR. KANE: Michael, all electrical as far as the spa and everything up to code?

MR. BABCOCK: We haven't done that yet.

MR. CROSSETTA: I have the paperwork at home. I never thought of bringing that, sorry.

MR. TORLEY: No, the zoning board, we have to do everything by a public hearing, this is a preliminary meeting to let us know what your problems are and we can go through them so neither one of us gets surprised at the public hearing.

MR. KANE: The shed itself looks like it's on a slab?

MR. CROSSETTA: Yeah, the slab's been there forever. The old shed died, it's an old metal one.

MR. REIS: You haven't had any complaints from your neighbors?

MR. CROSSETTA: No.

MR. KANE: Entertain a motion?

MR. TORLEY: Yes, I will.

MR. KANE: Move we set up Mr. Crossetta for a public hearing on his requested variances.

MR. REIS: Second the motion.

ROLL CALL

MR. REIS AYE
MR. KANE AYE
MR. TORLEY AYE

MR. TORLEY: Go through those steps and talk to our secretary and you'll get on the calendar for a public hearing.

MR. KRIEGER: If when you make your presentation at the public hearing, you'd address yourself to the criteria set forth on this sheet because those are the criteria on which the state has required the Zoning Board of Appeals to decide, that's what they've got to use.

MR. KANE: Just address each one of the questions right in there, basically the same thing you did today but it's a public hearing.

MR. TORLEY: And you'll be sending out notices to your neighbors.

MR. CROSSETTA: I have the list and envelopes are all done, she told me to hold off until I was done with this.

MR. TORLEY: Talk to your neighbors because they are going to get a letter that is confusing, but tell them what's going on.

MR. CROSSETTA: The neighbors that are border on both sides, they have no problems even before I even built the deck.

MR. TORLEY: That's is.

Pls. publish immediately. Send bill to applicant @ below address.

PUBLIC NOTICE OF HEARING ZONING BOARD OF APPEALS TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 40
Request of Vames P. Crossetta
for a VARIANCE of the Zoning Local Law to Permit:
existing deck, shed a hot tubid insufficient side,
front & rear yard; and variances from Sec. 48-14 of the Supplemental Yard Regs.; Deing a VARIANCE of Section 48-12-Table of Use/Bulk, Regs, Cols. E, F&G.
for property situated as follows:
31 Willow Lane, New Windsor, n.y.
known and designated as tax map Section <u>43</u> , Blk. 1, Lot <u>76.</u> .
SAID HEARING will take place on the <u>26 h</u> day of <u>October</u> , 19 <u>78</u> at the New Windsor, New York beginning at 7:30 o'clock P.M.

James Nugent.
Chairman
By: Fatricia A. Barrhant, Secy.

OFFICE OF THE BUILDING INSPECTOR TOWN OF NEW WINDSOR ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

DATE: September 2, 1998

APPLICANT: James Crossetta

31 Willow Lane

New Windsor, New York 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: August 21, 1998

FOR: Existing 20' X 14' Deck

LOCATED AT: 31 Willow Lane

ZONE: R-4

DESCRIPTION OF EXISTING SITE: 43-1-76

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing attached deck does not meet minimum front yard setback.

BUILDING INSPECTOR

PERMITTED 35'
PROPOSED OR AVAILABLE:

ZONE: R-4 USE: 10-E

MIN. LOT AREA:

MIN LOT WIDTH:

REQ'D. FRONT YD:

REQ'D. SIDE YD:

REQD. TOTAL SIDE YD:

REQ'D FRONTAGE:

MAX. BLDG. HT.:

VARIANCE

35'

REQUEST:

FLOOR AREA RATIO:
MIN. LIVABLE AREA:

DEV. COVERAGE:

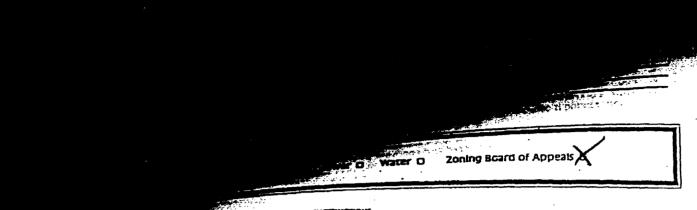
 $\infty\!\!:\! Z.B.A.,$ APPLICANT, FILE ,W/ ATTACHED MAP

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v.men.ex. stating is complete and footing forms are in place ibefore pouring.) Tourisation inspection. Check here for waterproofing and footing drains.	·· AUG 2 1 1998
2. Foundation inspection. Check here to meet product of the same o	• • •
when framing is completed and before it is covered from inside and plumbing	rough-in.
5. Insulation.	BUILDING DEPARTMENT
6. Plumbing final and final. Have on hand electrical inspection data and final certifie	ed plot plan. Building is to be completed
at this time. Well water test required and engineer's certification letter for sep	
7. Driveway inspection must meet approval of Town Highway Superintendent. A	driveway bond may be required.
8 \$50.00 charge for any site that calls for the Inspection twice.	
 Permit number must be called in with each inspection. There will be no inspections unless yellow permit card is posted. 	•
11. Sewer permits must be obtained along with building permits for new houses.	
12. Septic permit must be submitted with engineer's drawing and perc test.	•
15. Road opening permits must be obtained from Town Clerk's office.	
14. All building permits will need a Certificate of Occupancy or a Certificate of Con	apliance and there is no fee for this.
PLEASE PRINT CLEARLY	Voll
- FILL OUT ALL INFORMATION WHICH APPLIES TO	100.
Owner of Premises Tames + Patti Crossetta	
Address 31 Willow Lane	Phone 562-3293
Mailing Address Now Windsor NY 12553	
Mailing Address IV UW WIN USO 1 101 10300	
Name of Architect	
Name of Alcinett	
Address	Phone
Name of Contractor	
Address	_Phone
State whether applicant is owner, lessee, agent, architect, engineer or builder	owner
If applicant is a corporation, signature of duly authorized officer.	

Name and title of corporate officers

BOX FOR OFFICE USE ONLY
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. On w	what street is prope	ty located? On the	e <u> </u>	side of	Willow L	ane_
end .	_O	feet from	(N,S,E or W) the intersection	Spring	ROCK Rd	
. Zona	e or use district in		•	<u> </u>		operty a flood zone?
	Map Description: Se	tion 43	Block_	1	LOT 76	\
i. Stat	te existing use and o	ccupancy of premi	ses and intended	ise and occupan	cy of proposed consta	ction.
a.	Existing use a	nd occupancy	private	home	b. Intended	use and occupancy
s Nac	ensting d	e alk 2	dg D. Addition D	Alteration D	Repair D Removal C) Demolition D Othe
C. Is t	enis a comer lot?	Ves	:	_		
			_		Height	
	Number of b Heading Plant Cas			Electric/Hot Air	Toilets Hot Wa	ter
	•	If G	arage, number of	ars		•
9. If !	business, commercia	l or mixed occupan	cy, specify nature :	and extent of eac	n type of use	<u> </u>
-	· · · · · · · · · · · · · · · · · · ·			T		
10.		5300.00		Fee	50	
11.	School District_	Newbu	ch		To be Paid on this	Applic200ni
	Costs for the wo	ork described in the Innection therewith	Application for But n. exclusive of the	ding Permit Inclu	de the cost of all the co If final cost shall exce	nstruction and other
	additional fee i	nay be required be	ine nie 12709UCE (or Certificate of C)CCIID30CV	ed estimated cost, an
				हिल्ला केरण होता है। जा र	entropy of the second	e des es l'es l'estre



INSTRUCTIONS

an must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.

If showing location of locand buildings on premises, relationship to adjoining premises or public streets or areas, and a description of layout of property must be drawn on the diagram which is part of this application.

c. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.

- D. The work covered by this application may not be commenced before the Issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HERESY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and property authorized to make this application and to assume responsibility for the owner in connection with this application.

Jame D. Creantly
(Signature of Acopticano)

Patt L. Coss

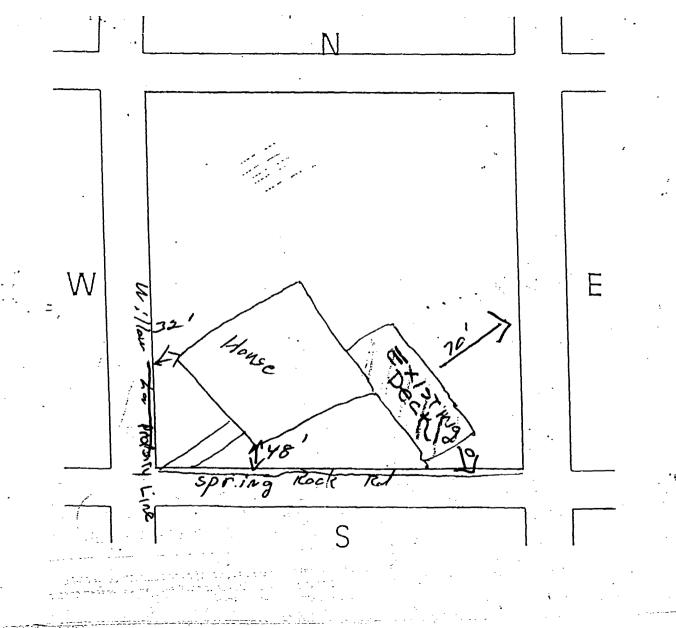
LAddress of Applicano

New Windson

PLOT PLAN

HOTE

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or , lines clearly and distinctly on the drawings.



OFFICE OF THE BUILDING INSPECTOR TOWN OF NEW WINDSOR ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

DATE: September 2, 1998

APPLICANT: James Crossetta

31 Willow Lane

New Windsor, New York 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: August 21, 1998

FOR : Existing Hot Tub.

LOCATED AT: 31 Willow Lane

ZONE: R-4

DESCRIPTION OF EXISTING SITE: 43-1-76

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing attached hot tub does not met minimum side yard setback.



PERMITTED 15'	PROPOSED OR AVAILABLE:	VARIANCE REQUEST:
ZONE: R-4 USE: F-10		
MIN. LOT AREA:		
MIN LOT WIDTH:		
REQ'D FRONT YD:		
REQ'D. SIDE YD: REQD. TOTAL SIDE YD:	8'	7'
REQ'D REAR YD:		
REQ'D FRONTAGE:		
MAX. BLDG. HT.:		
FLOOR AREA RATIO:		
MIN. LIVABLE AREA:		
DEV. COVERAGE:		

cc: Z.B.A., APPLICANT, FILE ,W/ ATTACHED MAP



BUILDING DEPARTMENT

from inside and plumbing rough-in.

required and engineer's certification letter for septic system required.

The required and engineer's certification letter for septic system required.

A driveway bond may be required.

That calls for the inspection twice.

sever permits must be obtained along with building permits for new houses.

be called in with each inspection

sever permit must be submitted with engineer's drawing and perc test.

If applicant is a corporation, signature of duly authorized officer.

12. Septic permit must be obtained from Town Clerk's office.

15. Road opening permits that be obtained from Fown Gerts office.

14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

PLEASE PRINT CLEARLY FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises JAMES & Patti	Crossetta	
Address 31 Willow Lane		Phone 562-3093
Mailing Address New Windsor	NY 1255	3
Name of Architect	-	1
Address		Phone
Name of Contractor	• • • • • • • • • • • • • • • • • • • •	·
Address		Phone
State whether applicant is owner, lessee, agent, archi	tect, engineer or builder	

	BOX FOR OFFICE USE ONLY
	Building Permit #
L	

1. On what street is property located? On the E side of Willow Lagre
feet from the intersection of Social Rock Rd.
2. Zone or use district in which premises are situated
3. Tax Map Description: Section 3 Slock Lot 6
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy private home b. Intended use and occupancy A
5. Nature of work icheck if applicable! New Bidg D. Addition D. Alteration D. Repair D. Removal D. Demolition D. Cther
Existing hot tub
e. Is this a corner lot? 195
7. Dimensions of entire new construction. Front Rear Depth Height No. of stories
2. If dwelling, number of dwelling units:
Number of bedrooms Baths Toilets
Number of bedrooms Baths Toilets Heating Plant: Cas Oil Electric/Hot Air Hot Water If Garage, number of cars
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use
10. Estimated cost \$\\ \(\int 0.00 \).
17. Seneci District Newburgh To be Paid on this Application
Cost for the work described in the Application for Building Permit Include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

Action to Action to the same and	
	Biog insp Examined Fire Insp Examined Approved Disapproved Permit No.
Planning Board Highway Dept	Sewer Water Zoning Board of Appeals
	MSTRUCTIONS

A. This soplication must be completely filled in by typewriter or in ink and submitted in duplicate to the Building inspector.

a. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and oiving a detailed description of layout of property must be drawn on the diagram which is part of this application.

C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and o÷ and installed and details of structural, mechanical and plumbing installations. besu ed of fremeines

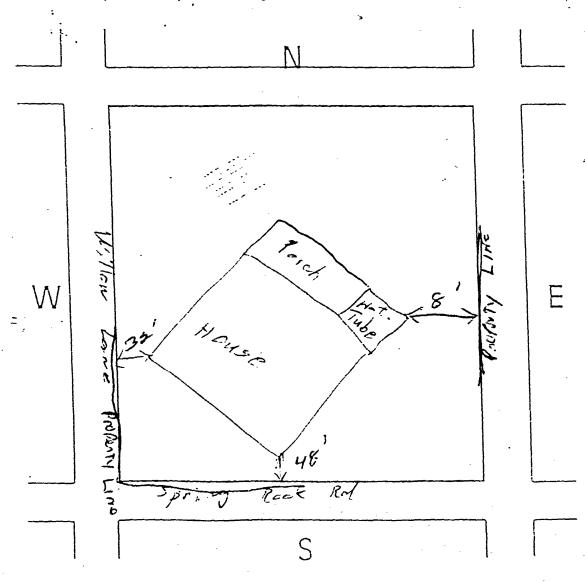
D. The work covered by this application may not be commenced before the Issuance of a Building Permit.

E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of piens and specifications. Such permit and approved plans and specifications shall be kept on the premises, evaluable for throughout the progress of the work. Inspection

5. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been cranted by the Bullding Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Locale au buildings and indicate all set back dimensions. Applicant must indicate the building line or , lines clearly and distinctly on the drawings.



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TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

Date: I. Applicant Information:

(a) James P. Crosseffe 3/ Willow La Lew Windsor 562-3293

(Name, address and phone of Applicant) (Owner) (b) (Name, address and phone of purchaser or lessee) (c) (Name, address and phone of attorney) (d) (Name, address and phone of contractor/engineer/architect) II. Application type:) Sign Variance () Use Variance (X) Area Variance Interpretation III. ✓ Property Information: (a) <u>K-Y.</u> 31 <u>Willow La.</u> <u>New Winder 43-1-76.</u> <u>90×160</u> (SBL) (Lot size) (Zone) (Address) (b) What other zones lie within 500 ft.? none. (c) Is a pending sale or lease subject to ZBA approval of this (e) Has property been subdivided previously?(f) Has property been subject of variance previously?no. If so, when? (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? _______ (h) Is there any outside storage at the property now or is any proposed? Describe in detail: Use Variance.N/A IV. Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow: (Describe proposal)_____

•	(b) The legal standard for a hardship. Describe why you feel unless the use variance is granted have made to alleviate the hardsh	unnecessary hardsh d. Also set forth	ip will result any efforts you
	(c) Applicant must fill out a Assessment Form (SEQR) with this a	and file a Short E application.	nvironmental
	(d) The property in question County Agricultural District: Yes		within 500 ft. of a
	If the answer is Yes, an agriculty along with the application as well within the Agricultural District a list from the Assessor's Office.	l as the names of	all property owners
√	V. Area variance: (a) Area variance requested: Section 48-12, Table of 48-14 A-4 - Supp. 448-14 A(I)(B)	<u>lse/Bulk</u> R ad Regs.	egs., Col. <u>E.F.G.</u> .
	Requirements Min. Lot Area Min. Lot Width Reqd. Front Yd.	Proposed or Available	Variance Request
	Reqd. Side Yd. 35 ++ 15 ++ Reqd. Rear Yd. Reqd. Street Frontage* Max. Bldg. Hgt.	0 8 f+.	35 ft. (Deck); ? ft. (Hot tub)
	Min. Floor Area* Dev. Coverage* Floor Area Ratio** Parking Area		
	* Residential Districts only ** No-residential districts or	ıly	·
	√ (b) In making its determination consideration, among other aspects	on, the ZBA shall to	take into the applicant if

(b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

					; (4) whether the	}
proposed variance will have an adverse effect or impact on the						
physical or environmental conditions in the neighborhood or district;						
and (5) whether the alleged difficulty was self-created. Describe why you believe the 78% should grant your application for an						
	Describe why you believe the ZBA should grant your application for an area variance:					
mi	nei	allow that	the shed boo	lu their pre	perty has no of	nebl.
d	its	it being	on the line			
12	othe	- neighbor	for the deck+	lot tub le	Sped me buils	Tthe
			his fence + he	las no pe	solem with i	<u> </u>
1	eing .	thre.				 、
(You	may	attach addi	itional paperwork	if more space	is needed)	
T/T	sim	Variance: //	In			
ν Τ •			n equested from New	Windsor Zonine	Tocal Law.	
	(4)			Rec		
				Proposed or		
			Requirements			
	Sign					
	Sign					
	Sign					
	Sign					
٠						
	(b)	Describe in	n detail the sign	(s) for which v	zou seek a	
vari sign	ance				extra or over si	ze
						_
						_
					·	
	(c)	What is tot	al area in smuar	e feet of all s	signs on premises	
incl					ree-standing sig	
		, orgine on v	TIMOND, THOU OF	Datading, und i	.100 2001.01.19 219	
						
VII.		erpretation.	. N/A			
	(a)				oning Local Law,	
			, Tabl	e of	Regs.,	
	(h)	Col.		1 b-6 .b	a Daniel	-
	(b)	Describe 1	n detail the pro	posai berore th	e Board:	
						-
				<u>-</u>	<u> </u>	
						_
						
						_
						•
	7.23					

√ VIII. Additional comments:
 (a) Describe any conditions or safeguards you offer to ensure
 that the quality of the zone and neighboring zones is maintained or

: : :

fostered. (Trees, landscaping, curbs,	lighting, paving, fencing,
screening, sign limitations, utilities,	
The deal also has planted &	enging around it to
make it look good + it i	ething to look good
	•
NA Copy(ies) of sign(s) with dir	cent properties. ase or franchise agreement. y. rvey showing the size and ation of all buildings, s drives, parking areas, screening, signs, curbs, 0 ft. of the lot in question. mensions and location. mount of \$50.00 and the second of , each payable to the TOWN
X. Affidavit.	. [
	Date: 10 5 98
STATE OF NEW YORK)	·
) SS.: COUNTY OF ORANGE)	
The undersigned applicant, being duthat the information, statements and repapplication are true and accurate to the to the best of his/or information and be understands and agrees that the Zoning Eaction to rescind any variance granted in presented herein are materially changed.	presentations contained in this best of his/her knowledge or elief. The applicant further Board of Appeals may take if the conditions or situation
	(Applicant)
Sworn to before me this	<i>V</i>
5th day of October 1998. Atticle a Bourland XI. ZBA Action:	PATRICIA A. BARNHART Notary Public, State of New York No. 018A4904434 Qualified in Orange County Commission Expires August 31, 1929.
(a) Public Hearing date:	_

.

	(b)	Variar	ice:	Grante	d (_)	Denie	a ()		
	(c)	Restri	ction	s or c	ondit	ions:				
<u></u>	· · · · ·					<u> </u>		 		
<u> </u>										
		. •								
		FORMAL MINUTES								ARD OF
APPEA	LS A	AT A LAT	rer da	TE.	ŧ				2	 •

(ZBA DISK#7-080991.AP)

THIS IS A LEGAL INSTRUMENT AND SHOULD BE EXECUTED UNDER SUPERVISION OF AN ATTORNEY

This Indenture,

Made the

day of

August

nineteen hundred

and Seventy Two,

Between ERWIN W. DINTSCH and EVA DINTSCH, husband and wife, both residing at 31 Willow Lane, Town of New Windsor, Orange County, State of New York,

parties of the first part,

and JAMES P. CROSSETTA and PATTI L. CROSSETTA, husband and wife, as tenants by the entirety, both residing at 87 Oakwood Terrace, Town of New Windsor, Orange County, State of New York,

parties of the second part,

Cultuesseth, that the parties of the first part, in consideration of

TEN and 00/100 (\$10.00) -

Dollars.

lawful money of the United States, and other good and valuable consideration,

paid by the part ies of the second part

their heirs,

and assigns forever,

that lot or parcel of land with the building and improvements thereon erected or to be erected, situate, lying and being in the Town of New Windsor, County of Orange and State of New York, known as Lot #70, on Map of Forge Hill, dated January 20, 1958, together with easement over the streets as shown on the said map to the nearest public highway but excepting and reserving the fee to the said street. Map filed December 15, 1959, as Map #1848.

BEING the same premises described in a Deed dated April 26, 1960, made by Murray Development Corp., to Erwin W. Dintsch and Eva Dintsch and recorded in Orange County Clerk's Office April 27, 1960, in Liber 1547 of Deeds at Page 401.

CIBER 1919 PG 919

Courther with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

To have and to hold the premises herein granted unto the parties of the second part, as tenants by the entirety, their heirs and assigns forever,

state of County of

} as:

LIBER 1919 PG 922

On the before me came

day of

nineteen hundred and

nineteen hundred and

to me known and known to me to be the individual described in, and who executed, the foregoing instrument, and acknowledged to me that he executed the same.

State of

County of

day of

On the before me came

the subscribing

witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides in

that he knows

to be the individual described in, and who

executed the foregoing instrument; that he, said subscribing witness, was present, and saw execute the same; and that he, said witness, at the same time subscribed h name as witness thereto.

space for use of Recording Office.

CAMSE

0 3 2 3 4 0

TRANSFER TAX NEW YORK *

Displ. of Texación Serverz

Real ESTATE OF STATE O

Orange County Clerk's Office, s.s.

Recorded on the Cold day
of 10/1 at /1/2
o'clock fl. M. in Liber///
at page 919
and Examined.

ERWIN W. DINTSCH and EVA DINTSCH

to

JAMES P. CROSSETTA and PATTI L. CROSSETTA



WARRANTY

Dated, August , 1972.

The land affected by the within instrument lies in Town of New Windsor, County of Orange, and State of New York.

RECORD AND RETURN TO

14

PAR Cantlini & langar i Herberg 45. Charles of Tour-longh 11: Y

574 550 . no the said part ies of the first part covenant as follows:

first.—That the parties of the first part are seized of the said premises in fee simple, and have good right to convey the same,

Second. -That the part ies of the second part shall quietly enjoy the said premises;

Third. -That the said premises are free from incumbrances;

Jourth.—That the parties of the first part will execute or procure any further necessary assurance of the title to said premises;

Jilly. -That the parties of the first part will forever warrant the title to said premises.

Fixth.—That the grantor, in compliance with Section 13 of the Lien Law, covenants that the grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and that the grantor will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

In Mitness Withereof, the parties of the first part have hereunto set their hands and seal S the day and year first above written.

In presence of:

L. S.	Community Dintsch	Michan
L. S.	Eva Dintsch	Ç.
L. S.	·	
L. S.		

State of NEW YORK
County of ORANGE

On the day of August nineteen hundred and seventy two, before me came ERWIN W. DINTSCH and EVA DINTSCH

to me known and known to me to be the individualS described in and who executed, the foregoing instrument, and acknowledged to me that the y executed the amount

Motory on Second

17 Commander

LIBER 1919 PG 921



Town of New Windsor

555 Union Avenue New Windsor, New York 12553 Telephone: (914) 563-4630 Fax: (914) 563-4693

Office of Assessor for the Town

September 23, 1998

(68)

Mr. James F. Crossetta 31 Willow Lane New Windsor, N. Y. 12553

Re: Tax Parcel: 43-1-76

Dear Mr. Crossetta:

According to our records, the attached list of property owners are within five hundred (500) feet of the above-referenced property.

The charge for this service is \$60.00, less your deposit of \$25.00. Please remit to the Town Clerk at the above address.

Sincerely,

LESLIE COOK
Sole Assessor

/pab Attachment

cc: Pat Barnhart, ZBA

Ethel Chartoff	✓ Hodash, Anne M.	Joseph S. Jr., & Charlene J. Hunt
11 Harth Drive	18 Willow Lane	10 Mark Street
New Windsor, N. Y. 12553	New Windsor, N. Y. 12553	New Windsor, N. Y. 12553
	William P. & Halan Manager	/ I come d & T to do To Tilled
	William E. & Helen Blenderman 20 Willow Lane	 ✓ Leonard & Linda DeWitt 11 Lannis Avenue
•	New Windsor, N. Y. 12553	New Windsor, N. Y. 12553
Philip & Helga M. Stoekel	Paul & Joyce A. Etess	Joan Hess Trust , % Barbara O'Hara, Trustee
7 Harth Drive New Windsor, N. Y. 12553	4 Lannis Avenue New Windsor, N. Y. 12553	9 Lannis Avenue
New Windsof, IV. 1. 12333	New Windson, N. 1. 12555	New Windsor, N.Y. 12553
Robert L. & Carol B. Bates	/ Peter F. & Mary J. Fornal	Henry J. Donato
5 Harth Drive	6 Lannis Avenue	7 Lannis Avenue
New Windsor, N. Y. 12553	New Windsor, N. Y. 12553	New Windsor, N. Y. 12553
	Philip J. McCarthy	
Jerry G. Illaria	Lori Schiffmar-McCarthy	Vincent & Nancy Evans 5 Lannis Avenue
3 Harth Drive New Windsor, N. Y. 12553	10 Lannis Avenue	New Windsor, N. Y. 12553
New Wildsol, N. 1. 12555	New Windsor, N. Y. 12553	,
•		•
Edward W. & Barbara M. Moody	/ Lawrence & Mary Margaret Reis	Edward L. & Olive Jollie
1 Harth Drive	22 Willow Lane	32 Willow Lane
New Windsor, N. Y. 12553	New Windsor, N. Y. 12553	New Windsor, N. Y. 12553
		,
Shawn & Jadelin Boesen	Hubert V. Nocton Living Trust, etal	Vito & Giovanna Alongi
17 Willow Lane	% H & K Nocton, Trustees26 Willow Lane	√ 36 Willow Lane
New Windsor, N. Y. 12553	New Windsor, N. Y. 12553	New Windsor, N. Y. 12553
	•	
Evelyn Negron & Kristopher Lopez	Cithart & Darbara Farman	Coal T. & Marrie C. Strong
19 Willow Lane	Gilbert & Barbara Ferrero 2 Mark Street	Carl T. & Mary C. Strong 38 Willow Lane
New Windsor, N. Y. 12553	New Windsor, N. Y. 12553	New Windsor, N. Y. 12553
	•	<i>J</i>
Donald & Barbara Dinehart 10 Willow Parkway	John & Lucille Faricellia 6 Mark Street	Richard S. & Veronica A. Trifilo
New Windsor, N. Y. 12553	New Windsor, N. Y. 12553	40 Willow Lane New Windsor, N. Y. 12553
		- <u> </u>
.		
Jack & Margaret Dabrisin Dana M. Saintmire	✓ Pierina & Angelo Zazza	Frank & Barbara Ann Carilli
8 Dogwood Lane	8 Mark Street	44 Willow Lane
Newburgh, N. Y. 12550	New Windsor, N. Y. 12553	New Windsor, N. Y. 12553

Alfred & Palmina Cirigliano	Randy G. & Shirley W. Thomas	Richard Ponesse
11 Mark Street New Windsor, N. Y. 12553	2 Harth Drive New Windsor, N. Y. 12553	31 Spring Rock Road New Windsor, N.Y. 12553
Joseph F. & Rosalie A. McDermott	Dennis A. & Susan J. Green	John J. & Lucy Carvelli
9 Mark Street New Windsor, N. Y. 12553	4 Harth Drive New Windsor, N. Y. 12553	29 Spring rock Road New Windsor, N. Y. 12553
Randy C. Day Lavetta C. McCollum	Joseph R. & Joan Masi 6 Harth Drive	John & Diana Fraine 27 Spring Rock Road
7 Mark Street New Windsor, N. Y. 12553	New Windsor, N. Y. 12553	New Windsor, N. Y. 12553
Richard F. & Diane M. Storey 5 Mark Street	Henry & Marie R. Lampack 8 Harth Drive	John & Debra Ponessa 25 Spring Rock Road
New Windsor, N. Y. 12553	New Windsor, N. Y. 12553	New Windsor, N. Y. 12553
John J. & Eileen Whaley 10 Harth Drive	Frank & Estelle Marchio 32 Spring Rock Road	Geraldine A. & Leonard J. McDonald 12 Split Tree Drive
New Windsor, N. Y. 12553	New Windsor, N. Y. 12553	New Windsor, N.Y. 12553
John C. & Patricia Corkedale 12 Harth Drive	Martin & Dorothy Feldman 34 Spring Rock Road	Frank & Helen Q. Annan 14 Split Tree Drive
New Windsor, N. Y. 12553	New Windsor, N. Y. 12553	New Windsor, N. Y. 12553
William & Mary Nickel 14 Harth Drive	John J. & Patricia J. Luongo 36 Spring Rock Road	Charles, Jr. & Robyn M. Lopresti 16 Split Tree Drive
New Windsor, N.Y. 12553	New Windsor, N. Y. 12553	New Windsor, N. Y. 12553
William, Maria & Sandra Marulanda 26 Spring Rock Road	Thomas B. & Annie R. Henry 35 Willow Lane	Donald A., Jr. & Catherine Jollimore 18 Split Tree Drive
New Windsor, N. Y. 12553	New Windsor, N. Y. 12553	New Windsor, N. Y. 12553
Peter B. & Carol N. Lenahan 28 Spring Rock Road	Richard B. & Theresa J. Swason 35 Spring Rock Road	Robin Bello 20 Split Tree Drive
New Windsor, N. Y. 12553	New Windsor, N. Y. 12553	New Windsor, N. Y. 12553

Jean Paul & Lydia E. Coicou 30 Spring Rock Road New Windsor, N. Y. 12553 Isaak & Etya Sholkhet 33 Spring Rock Road New Windsor, N. Y. 12553 Michael & Elizabeth Wallace 22 Split Tree Drive New Windsor, N. Y. 12553 George R. & Jean A. Kaiser 24 Split Tree Drive New Windsor, N. Y. 12553

Frederick R., Jr. & Maria Coutant 37 Willow Lane New Windsor, N. Y. 12553

Michael & Deborah McLamb P. O. Box 788 Festus, MO 63028

Glen C. & Alice S. Robinson 21 Split Tree Drive New Windsor, N. Y. 12553

N. Stephen & Josephine A. Maurillo 19 Split Tree Drive New Windsor, N. Y. 12553

Joseph A. & Patricia Loscalzo 17 Split Tree Drive New Windsor, N. Y. 12553

Alan & Carol Grilli 15 Split Tree Drive New Windsor, N. Y. 12553

David Green 12 Mark St. New Windsor, NY 12553

Albert G. & Dorothy Nickel 9 Harth Dr., New Windsor, NY 12553

